

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
SOUTHWESTERN DIVISION**

Encore Operating LP and William A.	)	
Stewart d/b/a William A. Stewart &	)	
Associates,	)	
	)	<b>ORDER</b>
Plaintiffs,	)	
	)	
vs.	)	
	)	Case No. 1:06-cv-086
Stephen Morris, Blue Diamond LLC,	)	
Terina Bailey, Joann Nelson, and Panda	)	
Petroleum, Inc.,	)	
	)	
Defendants.	)	

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On December 28, 2006, Defendant Panda Petroleum, Inc. ("Panda") filed a Motion for Discovery. Therein, Panda advised the court that it had served on plaintiffs' counsel a subpoena duces tecum requesting that the plaintiffs produce documents on or before January 3, 2007. The parties have apparently discussed a voluntary exchange of documents, but, according to Panda, the plaintiffs' have expressed reluctance to produce some of the requested documents absent a court order. Panda avers that it needs these documents to prepare for show cause hearing scheduled for January 9, 2007.

The court shall hold a hearing on Panda's motion on January 3, 2007, at 2:30 p.m. The hearing shall be conducted by telephone conference call to be initiated by the court with the attorneys who have filed appearances. If any of the other parties for whom an attorney has not made an appearance wish to participate in the hearing, then they should contact the undersigned by 2:00 p.m. on January 3, 2007, with a number at which they can be reached.

**IT IS SO ORDERED.**

Dated this 29<sup>th</sup> day of December, 2006.

/s/ Charles S. Miller, Jr.  
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Charles S. Miller, Jr.  
United States Magistrate Judge